



Attorney Docket No.: 98580p074

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

KURT THEOPOLD

Application No.: 09/815,578

Filed: March 23, 2001

For: **Device for supporting a tipping hopper of a tipper vehicle**

Assistant Commissioner for Patents
Attention: Box Missing Parts
 Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Sir:

In response to the Notice to File Missing Parts of Application mailed May 16, 2001, please find enclosed:

- (1) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application;
- (2) a check in the amount of \$130.00 in payment of the surcharge of 37 CFR § 1.16(e); and
- (3) a copy of the Notice to File Missing Parts of Application.

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of the Fee Transmittal is enclosed for deposit account charging purposes.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Dated: July 16, 2001

Eric S. Hyman, Reg. No. 30,139

12400 Wilshire Blvd., 7th Floor
 Los Angeles, California 90025
 Telephone: (310) 207-3800

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Attention: Box Missing Parts, Washington, D.C. 20231 on: July 16, 2001

Melissa Stead
 Melissa Stead

07/16/01
 Date



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/815,578	03/23/2001	Kurt Theopold	98580p074

CONFIRMATION NO. 5564

08791

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD, SEVENTH FLOOR
LOS ANGELES, CA 90025

FORMALITIES LETTER



OC000000006080341

Date Mailed: 05/16/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice MUST be returned with the reply.

H.T

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/20/2001 KABDI1 00000021 09815578

01 FC:105

130.00 OP

FEE TRANSMITTAL

for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 170.00

Complete if Known

Application Number 09/815,578
 Filing Date 03/23/01
 First Named Inventor Kurt Theopold
 Examiner Name not assigned
 Group Art Unit not assigned
 Attorney Docket Number 98580p074

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666

Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

☒ Charge Any Additional Fee Required Under 37CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:
☒ Check ☐ Money Order ☐ Other

FEE CALCULATION

1. FILING FEE

Large Entity Code	Small Entity Code	Fee (\$)	Fee Description	Fee Paid
101	201	355	Utility filing fee	
106	206	160	Design filing fee	
107	207	245	Plant filing fee	
108	208	355	Reissue filing fee	
114	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)

2. CLAIMS

Total Claims	Extra	Fee from below	Fee Paid
11			
Independent Claims			

Multiple Dependent Claims

Large Entity Code	Small Entity Code	Fee (\$)	Fee Description	Fee Paid
103	203	9	Claims in excess of 20	
102	202	40	Independent claims in excess of 3	
104	204	135	Multiple Dependent claim	
109	209	40	Reissue independent claims over original patent	
110	210	9	Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

*or number previously paid, if greater, For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEE

Large Entity Code	Small Entity Code	Fee (\$)	Fee Description	Fee Paid
105	205	65	Surcharge - late filing fee or oath	130
127	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	139	130	Non-English specification	
147	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	112	920	Requesting publication of SIR prior to Examiner action	
113	113	1,840	Requesting publication of SIR after Examiner action	
115	215	55	Extension for response within first month	
116	216	195	Extension for response within second month	
117	217	445	Extension for response within third month	
118	218	695	Extension for response within fourth month	
128	228	945	Extension for response within fifth month	
119	219	155	Notice of Appeal	
120	220	155	Filing a brief in support of an appeal	
121	221	135	Request for oral hearing	
138	138	1,510	Petition to institute a public use proceeding	
140	240	55	Petition to revive - unavoidably	
141	241	620	Petition to revive - unintentionally	
142	242	620	Utility issue fee (or reissue)	
143	243	220	Design issue fee	
144	244	300	Plant issue fee	
122	122	130	Petitions to the Commissioner	
123	123	50	Petitions related to provisional applications	
126	126	180	Submission of Information Disclosure Stmt	
581	581	40	Recording each patent assignment per property (times number of properties)	40
146	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	279	355	Request for Continued Examination (RCE)	
169	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

SUBTOTAL (3) (\$) 170.00

* Reduced by Basic Filing Fee Paid

SUBMITTED BY

Typed or Printed Name Eric S. Hyman, Reg. No. 30,139

Signature

Date 7/16/2001

Complete (if applicable)

Reg. Number

Deposit Account User ID 02-2666

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/815,578

Filing Date March 23, 2001

First Named Inventor Kurt Theopold

Group Art Unit not assigned

Examiner Name not assigned

Total Number of Pages in This Submission

10

Attorney Docket Number

98580p074

ENCLOSURES (check all that apply)

☒ Fee Transmittal Form

☒ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☒ Response to Missing Parts/Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☒ Assignment Papers (for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

Declaration and Power of Attorney; Copy of Notice to File Missing Parts; Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Eric S. Hyman, Reg. No. 30,139

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Signature

Date

July 16, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: July 16, 2001

Typed or printed name

Melissa Stead

Signature

Melissa Stead

Date

07/16/01

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